

REMARKS

Claims 1-8, 10, 12-14, 17-28 and 32 are pending in the present application.

It is respectfully submitted that the present amendment presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the following remarks is requested.

I. The Rejection of Claims 1-8, 14, 19-20, 23-24 and 26-28 under 35 U.S.C. 102(b)

Claims 1-8, 14, 19-20, 23-24 and 26-28 are rejected under 35 U.S.C. 102(b) as anticipated by WO 93/07260. This rejection is respectfully traversed.

Claims 1-8, 14, 19-20, 23-24 and 26-28 are directed to a method for preparing an enzyme containing particle by spray drying a fermentation broth starting material comprising an enzyme and a biomass, to obtain a solid particle comprising an enzyme and a biomass. WO 93/07260 does not disclose a spray drying process. Rather, WO 93/07260 discloses a spray-coating process. See WO 93/07260 at abstract, the summary of the invention at page 6 (noting the use of a "fluidized-bed spray-coater"), and page 7 ("The method of the present invention is carried out in a fluidized bed spray-coater."). A "spray coating" process is not a "spray drying" process.

A spray-coating process, as described in WO 93/07260, and as is known in the art, involves coating of core particles in a fluidized-bed spray coater, that is, a coating material is layered around a preformed solid particle. See WO 93/07260 at page 6 ("introducing a particulate, hydratable core material into a fluidized-bed spray coater") and page 8 ("The initial step in the method involves introducing a particulate, hydratable core material into the reaction chamber of the fluidized-bed dryer and suspending the particles therein on a stream of air.")

By contrast, in the present invention, the solid particle is formed in a spray drying process through atomizing a composition and evaporation of volatile parts to form the dried-enzyme containing particles, as disclosed in the specification at page 15:

Drying of a broth, filtrate or concentrate, in accordance with the invention is achieved by a spray drying process, comprising transporting the broth, filtrate or concentrate through an atomizing device into a drying chamber wherein droplets of atomized broth, filtrate or concentrate is mixed with a stream of air in which the volatile parts of the droplets are evaporated and removed leaving dried enzyme-containing particles.

Thus, WO 93/07260 clearly does not anticipate the claimed invention. Applicants respectfully request reconsideration and withdrawal of the rejection.

II. The Rejection of Claims 11, 15, 17-18, 21 and 22 under 35 U.S.C. 103

Claims 11, 15, 17-18, 21 and 22 are rejected under 35 U.S.C. 103 as obvious over WO 93/07260. This rejection is respectfully traversed.

The Examiner alleges that WO 93/07260 discloses a "spray-dried fermentation broth and process thereof." As previously discussed, WO 93/07260 does not disclose a "spray-dried fermentation broth and process thereof." Rather, WO 93/07260 discloses a spray-coated composition and process thereof, which does not teach or suggest the very different spray drying composition and process of the present invention.

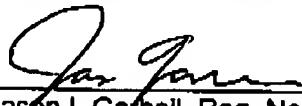
For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 103. Applicants respectfully request reconsideration and withdrawal of the rejection.

III. Conclusion

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,

Date: October 18, 2004



Jason I. Garbell, Reg. No. 44,116
Novozymes North America, Inc.
500 Fifth Avenue, Suite 1600
New York, NY 10110
(212)840-0097